

MAR. 29. 2004 12:35PM

BST&Z - CM

Appl. No. 09/213,096
Amdt. Dated 03/29/2004
Reply to Office Action of 12/29/2003

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**RESPONSE UNDER 37 CFR § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 2666**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application. No.	:	09/213,096	Confirmation No. 7422
Applicant	:	Kalkunte et al.	
Filed	:	12/17/1998	
TC/A.U.	:	2666	
Examiner	:	Frank Duong	
Docket No.	:	82771P270C	
Customer No.	:	8791	

Mail Stop AF
Commissioner for Patents
PO Box 1450
Alexandria VA 22313-1450

AMENDMENT UNDER 37 CFR § 1.116

*Please
kindly
notified
1/16/04*

Sir:

In response to the Office Action of 12/29/2003, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 8 of this paper.

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

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INTELLECTUAL PROPERTY LAW
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LOS ANGELES, CA 90025

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Deliver to: Frank Duong, USPTOArt Group: 2664Facsimile No.: 703-872-9306Date: March 29, 2004From: William W. Schaal, Reg. No. 39,018Our Docket No.: 82771P270CNumber of pages 13 including this sheet.Application No.: 09/213,096Filing Date: 12/17/1998Docket Due Date(s): 3/29/2004

Enclosed are the following documents:

Amendment: After Final (9 pgs)
 Appeal Brief (in triplicate) (pgs)
 Application: (pgs) w/cover & abstract
 Assignment & Cover Sheet (pgs)
 Certificate of Facsimile
 Continued Prosecution Application (CPA)
 Declaration & POA (pgs)
 Drawings: sheets, figures
 Extension of Time:
 Fee Transmittal (in duplicate)
 IDS & PTO/SB/08 (pgs)
 Other

Issue Fee Transmittal
 Notice of Appeal
 Petition for:
 Request for Continued Examination (RCE)
 Reply Brief (pgs)
 Request & Certification Under 35 USC 122(b)(2)(B)(i)
 Request to Rescind Previous Nonpublication Request
 Response to Notice of Missing Parts & Formalities Letter
 Response to Written Opinion (pgs)
 Terminal Disclaimer
 Transmittal of Publication Fee Due
 Transmittal Letter

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.84)

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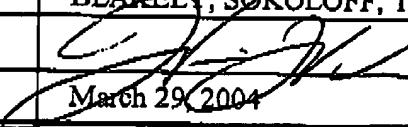
Pat Sullivan
 Pat Sullivan 03/29/2004
Date

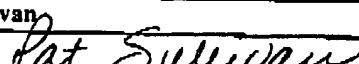
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TRANSMITTAL FORM		Application No.	09/213,096
<i>(to be used for all correspondence after initial filing)</i>		Filing Date	December 17, 1998
		First Named Inventor	Mohan V. Kalkunte
		Art Unit	2664
		Examiner Name	Frank Duong
Total Number of Pages in This Submission	13	Attorney Docket Number	82771P270C

ENCLOSURES (check all that apply)			
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> PTO/SB/08 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; padding: 5px; width: 150px; height: 40px; margin-top: 10px;">Facsimile Transmittal Sheet</div>	
		Remarks	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	William W. Schaal, Reg. No. 39,018 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	March 29, 2004

CERTIFICATE OF MAILING/TRANSMISSION			
I hereby certify that this correspondence is being transmitted via facsimile on the date shown below to the United States Patent and Trademark Office.			
Typed or printed name	Pat Sullivan		
Signature		Date	March 29, 2004
Based on PTO/SB/21 (02-04) as modified by Blakely, Sokoloff, Taylor & Zafman (wir) 02/10/2004. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450			

FEE TRANSMITTAL for FY 2004

Effective 10/01/2004. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$)

0.00

Complete if Known

Application Number	09/213,096
Filing Date	December 17, 1998
First Named Inventor	Mohan V. Kalkunte
Examiner Name	Frank Duong
Art Unit	2664
Attorney Docket No.	82771P270C

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Order Other None
 Deposit Account

Deposit Account Number **02-2666**
 Deposit Account Name **Blakely, Sokoloff, Taylor & Zafman LLP**

The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or underpayment of fees as required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 590	2003 285	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from Below	Fee Paid
25	25* - 0	18.00	\$0.00
5	5* - 0	86.00	\$0.00

Large Entity	Small Entity	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 86	2201 43	Independent claims in excess of 3	
1203 290	2203 148	Multiple Dependent claim, if not paid	
1204 86	2204 43	**Reissue Independent claims over original patent	
1205 18	2205 9	**Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)		(\$)	0.00

*Or number previously paid, if greater. For Reissues, see below

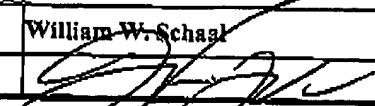
FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or cash	
1052 60	2052 25	Surcharge - late provisional filing fee or cover sheet	
2053 130	2053 130	Non-English specification	
1012 2,620	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1203 950	2263 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1266 1,210	2255 605	Extension for reply within fifth month	
1404 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 280	2403 145	Request for oral hearing	
1451 1,510	2451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,380	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or release)	
1502 480	2502 240	Design issue fee	
1503 840	2503 320	Plant issue fee	
1480 130	2480 130	Petitions to the Commissioner	
1807 60	1807 50	Processing fee under 37 CFR 1.17(d)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1909 770	1909 365	Filing a submission after final rejection (37 CFR § 1.128(a))	
1910 770	2810 365	For each additional invention to be examined (37 CFR § 1.128(b))	
1801 770	2801 365	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify)			

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

SUBMITTED BY						Complete (if applicable)
Name (Print/Type)	William W. Schaal		Registration No. (Attorney/Agent)	39,018	Telephone	(714) 557-3800
Signature					Date	03/29/04

Based on PTO/BB/17 (10-08) as modified by Blakely, Sokoloff, Taylor & Zafman (wir) 02/10/2004.
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